

OLSHAN

1325 AVENUE OF THE AMERICAS • NEW YORK, NEW YORK 10019  
TELEPHONE: 212.451.2300 • FACSIMILE: 212.451.2222

EMAIL: [TFLEMING@OLSHANLAW.COM](mailto:TFLEMING@OLSHANLAW.COM)  
DIRECT DIAL: 212.451.2213

December 6, 2023

BY ECF

Honorable Denise L. Cote  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1910  
New York, NY 10007

Re: *Avalon Holding Corp. v. Gentile, et al.*, Case No. 18-CV-7291 (DLC)(RWL)  
*New Concept Energy, Inc. v. Gentile, et al.*, Case No. 18-CV-8896 (DLC)(RWL)

Dear Judge Cote:

We represent defendant Guy Gentile, in the above-referenced actions. Pursuant to Rule 4(f) of Your Honor's Individual Rules and Practices in Civil Cases, we write to respectfully request that the Court schedule oral argument on Mr. Gentile's Objections to Magistrate Judge Lehrburger's October 6, 2023 Report and Recommendation.

We thank the Court for its attention to this matter.

Respectfully submitted,

*/s/ Thomas J. Fleming*

Thomas J. Fleming

cc: All counsel of record (by ECF)